

THE WHITE HOUSE
WASHINGTON

Executive Registry
78-9855/3

December 14, 1978

OLC #78- 3634

MEMORANDUM FOR

THE SECRETARY OF STATE
THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF AGRICULTURE
THE SECRETARY OF COMMERCE
THE SECRETARY OF TRANSPORTATION
THE SECRETARY OF ENERGY
THE ADMINISTRATOR, ARMS CONTROL
AND DISARMAMENT AGENCY
CHAIRMAN, JOINT CHIEFS OF STAFF
DIRECTOR OF CENTRAL INTELLIGENCE

SUBJECT: Clearance of Foreign Policy
Testimony to Congress

My memorandum of August 16, 1978, regarding clearance of foreign policy testimony to Congress is hereby revised as noted below.

First, OMB's legislative coordination and clearance responsibilities as set forth in OMB Circular No. A-19 (revised July 31, 1972) remain fully in effect. The requirements under that Circular apply to all proposed legislation and reports or testimony on pending bills (generally considered "legislative" issues), including those which deal with foreign policy. In the case of any "legislative" testimony, A-19 is, of course, applicable and the coordination and clearance function will be carried out by OMB.

However, in the case of all congressional requests for your agency to give "oversight" testimony (defined as testimony not "legislative" in nature) on U.S. foreign policy related matters, we would appreciate being informed at that time on the subject, the Department's representative, and the time and date of the hearing. We will then inform you directly whether it will be necessary to clear the statement.

NSC review(s) completed.

I have conferred with the Director of the Office of Management and Budget regarding this matter, and he shares my view that the procedures outlined in this memorandum will ensure the proper coordination and clearance of both "legislative" and "oversight" testimony as it relates to foreign policy.

A handwritten signature in dark ink, appearing to read 'Zbigniew Brzezinski', with a stylized, cursive script.

Zbigniew Brzezinski

UNCLASSIFIED CONFIDENTIAL SECRET

EXECUTIVE SECRETARIAT (O/DCI)

Routing Slip

TO:

		ACTION	INFO	DATE	INITIAL
1	DCI		✓		
2	DDCI		✓		
3	DD/RM				
4	DD/NFA				
5	DD/CT				
6	DD/A				
7	DD/O				
8	DD/S&T				
9	GC				
10	LC	✓			
11	IG				
12	Compt				
13	D/PA				
14	D/EE0				
15	D/Pers				
16	AO/DCI				
17	C/IPS				
18					
19					
20					
21					
22					

SUSPENSE DATE:

Remarks:

Executive Secretary

EPH/LLM
Date/Hour due ~~LLM/THW~~:

8:00 26 Dec -

Date/Hour due Ben Evans:

11:00 26 Dec -

Date/Hour Received in OLC:

5:39 18 Dec -

Date/Hour Carried to Registry

u u

Staff Assigned to:

len -

Date/Hour Carried to Staff:

8:30 19 Dec -

q Officer Assigned to:

☐ UNCLASSIFIED ☐ INTERNAL USE ONLY ☒ CONFIDENTIAL ☐ SECRET

Approved For Release 2007/03/09 : CIA-RDP81M00989R001700050004-5

ROUTING AND RECORD SHEET

Copy Destiny

OLC RECORD COPY

SUBJECT: (Optional)

FROM:

EXTENSION

NO.

Acting Legislative Counsel

OLC 78-512611

DATE 30 AUG 1978

25X1

TO: (Officer designation, room number, and building)

DATE

RECEIVED

FORWARDED

OFFICER'S INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

1.

Ben Evans

Ben:

2.

No response required. We are in touch with NSC (Sam Hoskinson) concerning necessity of clearing all DCI testimony on intelligence. See OLC Daily Summary item #4 attached.

3.

4.

5.

6.

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14.

15.

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*PKs
filed
WH*

CONFIDENTIAL

28 August 1978

OLC DAILY SUMMARY

1. We recontacted Speaker O'Neill's office concerning the Speaker's response to the Director's letter on compartmented clearances, explaining that the Director's policy limiting clearances to the Minority and Majority Leaders is firm. The Speaker will get back to us after the recess if he still feels clearances should be issued to the staff of the Democratic Steering and Policy Committee.

25X1

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3. Although not expected to recess until COB Wednesday, 30 August, the Senate recessed at 6 p.m. Friday, 25 August and will not reconvene until 10 a.m. Wednesday, 6 September. The House is also recessed and will reconvene at noon on 6 September. When the House reconvenes it is expected to take up H.R. 7308, the electronic surveillance bill. On Wednesday, 6 September H.R. 7308 has been granted an open rule - 3 hours of general debate. Complete consideration of the electronic surveillance bill is scheduled for Thursday, 7 September after consideration by the House of the Presidential veto of H.R. 10929, the DOD Authorization, FY 79.
 4. Sam Hoskinson, of the NSC staff, has been asked to determine if the weekly calendar OLC sends to him on proposed Hill briefings satisfies the requirements of the Brzezinski memorandum of 16 August on Hill testimony related to foreign policy matters. We also questioned the wisdom of including the DCI in a directive involving pre-clearance on Hill statements, since this could be hopped upon as politicizing intelligence. Hoskinson will be back in touch.

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EXECUTIVE SECRETARIAT (O/DCI)

Routing Slip

OLC

TO:		ACTION	INFO	DATE	INITIAL
1	DCI		✓		
2	DDCI		✓		
3	DD/RM				
4	DD/NFA				
5	DD/CT				
6	DD/A				
7	DD/O				
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9	GC				
10	LC	✓			
11	IG				
12	Compt				
13	D/PA				
14	D/EEO				
15	D/Pers				
16	AO/DCI				
17	C/IPS				
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19					
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21					
22					

SUSPENSE DATE:

Remarks:

To 10: Request for comment with DCI & clarify as appropriate.

Executive Secretary

Date

25X

THE WHITE HOUSE

WASHINGTON

Executive Registry

78-9855/1

OLC #18-5121

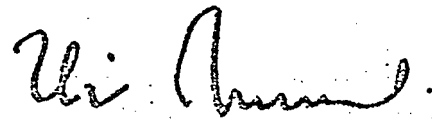
August 16, 1978

MEMORANDUM FOR:

THE SECRETARY OF STATE
THE SECRETARY OF THE TREASURY
THE SECRETARY OF DEFENSE
THE ATTORNEY GENERAL
THE SECRETARY OF AGRICULTURE
THE SECRETARY OF COMMERCE
THE SECRETARY OF TRANSPORTATION
THE SECRETARY OF ENERGY
THE ADMINISTRATOR, AGENCY FOR INTER-
NATIONAL DEVELOPMENT
THE DIRECTOR, ARMS CONTROL AND DISARMAMENT
AGENCY
CHAIRMAN, JOINT CHIEFS OF STAFF
DIRECTOR OF CENTRAL INTELLIGENCE

SUBJECT: Clearance of Foreign Policy Testimony
to Congress

When your Department is requested to testify before Congress on U.S. foreign policy related matters, we would appreciate being informed at that time on the subject, the Department's representative, and the time and date of the hearing. We will then inform you directly whether it will be necessary to clear the statement.



Zbigniew Brzezinski

TO : Mr. Gary THW/LLM/FPH	DATE OF REQUEST
FROM : ELS 25 August	SUSPENSE DATE
SUBJECT: Clearance of Foreign Policy Testimony to Congress	

NOTES

I presume we have been informing the NSC whenever we have had to go to the Hill on anything connected with foreign policy. But, you may want to establish some sort of regular procedure, and you may also want to check whether what we have been doing is adequate.

X1

Presumptive consent - each week BAO sends NSC (Haskin) calendar, up coming events. I have called Haskin today to: ① Determine if that meets attached requirement. ② ~~inform her~~ inform her.

COORDINATED WITH list names of well as off		OFFICE		DATE
NAME		OFFICE		
NAME		OFFICE		
NAME		OFFICE		
NAME		OFFICE		
ACTION REQUIRED BY GLC				

NSC clearance 2 DCI testimony on intelligence facts. [Ston is looking into this, will call back his messman. He says we should be concerned by been published public documents, including those put out by CIA.]

25X

THE DIRECTOR OF CENTRAL INTELLIGENCE
Approved For Release 2007/03/09 : CIA-RDP81M00980R001700050004-5

WASHINGTON, D.C. 20505

OLC RECORD COPY

Legislative Counsel

8 September 1978

WA

MEMORANDUM FOR: LES FRANCIS
SPECIAL ASSISTANT FOR
CONGRESSIONAL LIAISON

FROM: FREDERICK P. HITZ
LEGISLATIVE COUNSEL

SUBJECT: CONGRESSIONAL SCHEDULING

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1. This memorandum responds to your memorandum of 5 September, which I understand asks that we provide a prioritized list of legislation of direct and immediate concern to this Agency but which has yet to be scheduled for House or Senate floor action.

2. While there are a number of active bills of interest to us which we are following in the waning days of this session, there are no bills for which we are seeking floor action and which have not yet been scheduled. We therefore anticipate no need for assistance in scheduling bills for floor action between now and adjournment.



Frederick P. Hitz

25X

Distribution:

Orig - Addressee

1 - OLC Subject

1 - OLC Chrono

OLC:RLB:sm (8 Sept 78)

785-9855/2

OLC #78-5126/1

29 August 1978

White House

Xcopy
DestroyMEMORANDUM FOR: SA/DCI [redacted]
SA/DDCI [redacted]

SUBJECT : NSC Request re Testimony on Hill

1. On Friday, 25 August, the NSC Staff Secretary called to request we provide an advance schedule of who is scheduled to testify on the Hill and on what subject (see Tab A).

2. This appears to be a logical follow-on to a memorandum from Dr. Brzezinski (Tab B) which suggests that testimony on foreign policy related matters may have to be cleared in advance.

3. I discussed both of these requests with [redacted] Acting Legislative Counsel, on Monday, 28 August. He has them both for action and, in fact, has already been in touch with Sam Hoskinson on the intent and propriety of the Brzezinski memo. He will advise the DCI/DDCI of developments in this matter.

25X1

[redacted]
NSC Coordinator

25X1

cc: LC [redacted]

25 August 1978

MEMORANDUM FOR: NSC Coordinator

X1
FROM :

[REDACTED]

SUBJECT : Request from NSC Staff

Carol Cleveland/NSC Staff Secretary's office called to relay a "low key" request for a list of those members of the Agency who are testifying on the Hill. This is to be submitted to NSC (Carol Cleveland) (by phone if not too extensive) each Friday to cover the following week. Included should be the person's name and title and a brief sentence or two covering what they are testifying on. In response to my query as to who is requesting this, she replied that it came from Dr. Brzezinski's area.

cc: Mr. Evans

[REDACTED]

25X1